

REMARKS

Claims Status

Claims 1-19 and 21-28 are pending in the present application. Claims 18 and 21 are currently amended. Amended claims 18 and 21 correct typographical errors and/or provide clarity and consistency in defining the present invention that the Applicants deem as theirs. No new matter has been added.

Amended claim 18 corrects the name of certain compounds. Naming convention is consistent with the state of the art and International Union of Pure and Applied Chemistry (IUPAC) rules. Specifically, the name of compound 1au is amended where "...phenoxy]-ethyl}-N--methyl..." is amended to "...phenoxy]-ethyl}-N-methyl..." in order to correct an obvious typographical error. The name of compound 1bx is amended where "...phenoxy)-butan-2-yl}..." is amended to "...phenoxy]-butan-2-yl}..." in order to include proper bracketing. The name of compound 1cb is amended where "...-butan-4-methyl-2-yl})..." is amended to "...-butan-3-methyl-2-yl}...". Support for the amendment to compound 1cb may be found, e.g., at page 57, lines 11-14 (intermediate [Ethyl-(1-hydroxymethyl-2-methyl-propyl)-amino]-acetic acid tert-butyl ester); page 49, lines 3-14; page 42, line 1 through page 45, line 6. Applicants note e.g. the naming of compound 1by on page 56, lines 28-30, which also shares the identical intermediate as compound 1cb.

The name of compound 1cd is amended where "(S)-{1-[2-(3-Chloro..." is amended to "(S)-({1-[2-(3-Chloro..." in order to include proper closing brackets. The name of compound 1ce is amended where "...-propan-2-yl}..." is amended to "...-propan-2-yl}..." in order to include proper closing brackets. The name of compound 1cl was amended where "(S)-(2{2-[2-..." was amended to "(S)-(2-{1-[2-..." and "...propyl-N-methyl-amino)-acetic acid" was amended to "...propan-2-yl}-N-methyl-amino)-acetic acid". Support for the amendment to compound 1cl may be found, e.g., at page 58, lines 29-31 (intermediate [(S)-(2-Hydroxy-1-methyl-ethyl)-methyl-amino]-acetic acid tert-butyl ester); page 49, lines 3-14; page 42, line 1 through page 45, line 6. Applicants note e.g. the naming of compound 1cv on page 60, lines 11-14, which also shares the identical intermediate as compound 1cl.

The name of compound 1cm was amended where “(R)-(2{2-[2-...” was amended to “(R)-(2-{1-[2-...” and “...-}**propyl**-N-methyl-amino)-acetic acid” was amended to “...-**propan-2-yl**}-N-methyl-amino)-acetic acid”. Support for the amendment to compound 1cm may be found, e.g., at page 59, lines 1-4 (intermediate [(R)-(2-Hydroxy-1-methyl-ethyl)-methyl-amino]-acetic acid tert-butyl ester); page 49, lines 3-14; page 42, line 1 through page 45, line 6. Applicants note e.g. the naming of compound 1cv on page 60, lines 11-14, which also shares the identical intermediate as compound 1cm.

The name of compound 1cs was amended where “(S)-(1{2-[2-...” was amended to “(S)-({1-[2-...” Support for the amendment to compound 1cs may be found, e.g., at page 59, lines 30-33 (intermediate [(S)-(2-Hydroxy-1-methyl-ethyl)-methyl-amino]-acetic acid tert-butyl ester); page 49, lines 3-14; page 42, line 1 through page 45, line 6. Applicants note e.g. the naming of compound 1cv on page 60, lines 11-14, which also shares the identical intermediate as compound 1cs. The name of compound 1ct was amended where “(S)-(2{2-[2-...” was amended to “(S)-({1-[2-...” and “...-**propyl**}-N-methyl-amino)-acetic acid” was amended to “...-**propan-2-yl**}-N-methyl-amino)-acetic acid”. Support for the amendment to compound 1ct may be found, e.g., at page 60, lines 1-4 (intermediate [(S)-(2-Hydroxy-1-methyl-ethyl)-methyl-amino]-acetic acid tert-butyl ester); page 49, lines 3-14; page 42, line 1 through page 45, line 6. Applicants note e.g. the naming of compound 1cv on page 60, lines 11-14, which also shares the identical intermediate as compound 1ct.

The name of compound 1cw is amended where “...-butan-2-yl)...” is amended to “...-butan-2-yl}...” in order to include proper closing brackets. The name of compound 1cx is amended where “...phenoxy]-**3-methyl-propan-2-yl**}...” may be amended to “...phenoxy]-**propan-2-yl**}...”. Support for the amendment to compound 1cx is found, e.g., at page 60, lines 21-24 (intermediate [Ethyl-(2-Hydroxy-1-methyl-ethyl)-amino]-acetic acid tert-butyl ester); page 49, lines 3-14; page 42, line 1 through page 45, line 6; Applicants note e.g. the naming of compound 1cg on page 58, lines 4-7, which also shares the identical intermediate as compound 1cx.

The name of compound 1da is amended where "...-methylsulfanyl-phenoxy)..." is amended to "...-methyl-phenylsulfanyl-phenoxy)..." in order to correct an obvious omission of the term "phenyl" in "phenylsulfanyl". Support for the amendment to compound 1da may be found, e.g., at page 61, lines 3-6 (intermediate [Cyclohexyl-(2-Hydroxy-propyl)-amino]-acetic acid tert-butyl ester); page 49, lines 3-14; page 42, line 1 through page 45, line 6. Applicants note the use of a "phenylsulfanyl" intermediate in the preparation of compound 1da analogous to Example 1aa on page 49, lines 3-14. The name of compound 3b is amended where "...-phenylsulfanyl)-phenoxy]..." is amended to "...-phenylsulfanyl)-phenoxy]..." in order to correct an obvious typographical error in the spelling of "sulfanyl".

Claim 21 was amended to correct grammatical errors. Support for the amendments to claim 21 may be found, e.g., at page 4, lines 1-10; page 1, line 26; and page 2, line 6-16.

Accordingly, Applicants respectfully request that the amendments be entered.

Amendments to the Specification

Applicants have further amended the specification for purposes of clarity and to correct typographical errors. The amendment made to page 25 inserts the word "dementia" following "AIDS". Support for the term "AIDS dementia" is found in the specification, e.g., at page 24, line 6 and in original claim 21. The amendments to pages 16-21 and pages 52, 56-61 and 63 were made to correct the names of compounds 1au, 1bx, 1cb, 1cd, 1ce, 1cl, 1cm, 1cs, 1ct, 1cw, 1cx, 1da and 3b in the same manner as explained hereinabove with respect to the claim amendments. No new matter has been added.

Applicants respectfully request that the amendments be entered.

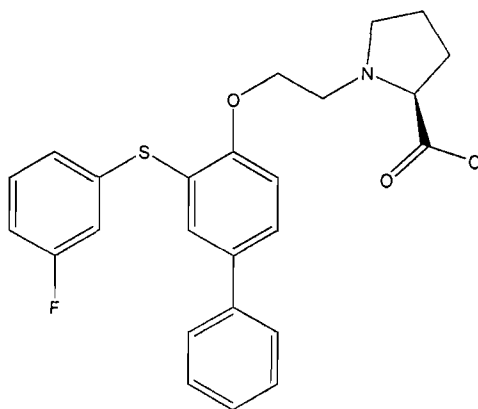
Elections/Restrictions

The Office has required restriction among two (2) groups of inventions because allegedly the groups of inventions are not so linked as to form a single inventive concept under PCT Rule 13.1. The alleged two (2) groups of inventions are:

Group I, claims 1-19 and 28, drawn to compounds and compositions of formula I; and

Group II, claims 21-27, drawn to a method for the treatment of a disease or disorder which involves administering a compound of formula I.

Applicants hereby elect Group I, i.e. claims 1-19 and 28, drawn to compounds and compositions of formula I. Applicants further hereby elect 1-{2-[3-(3-Fluoro-phenylsulfanyl)-biphenyl-4-yloxy]-ethyl}-pyrrolidine-2(S)-carboxylic acid (i.e. example 4b on page 65, lines 19-20 of the specification) as the species of Formula I.



1-{2-[3-(3-Fluoro-phenylsulfanyl)-biphenyl-4-yloxy]-ethyl}-pyrrolidine-2(S)-carboxylic acid

Example 4b

Should the Examiner find the elected product claims allowable, Applicants respectfully request that the method claims of Group II, i.e. claims 21-27, be rejoined with the product claims in accordance with 37 C.F.R. 1.104.

An early and favorable action on the merits of the application is kindly solicited. The Commissioner is hereby authorized to charge any fee or underpayment thereof or credit any overpayment to deposit account no. **503201**. The Office is invited to contact the undersigned if an interview would facilitate allowance of the claims.

Respectfully submitted,

/Kitae Lim, Reg. # 58,066/

Kitae Lim
Registration No. 58,066

Lundbeck Research USA, Inc.
215 College Road
Paramus, New Jersey 07652
(201) 350-0782 (tel)
(201) 225-9571 (fax)